

**PLANNING COMMISSION MINUTES OF 01/24/05**

**2004-0955 – Larry K. Yamaoka [Applicant] Misako and George Yamaoka [Owners]:** Application for related proposals on a 39,088 square-foot site located at **775 South Wolfe Road** in an R-3/PD (Medium Density Residential/Planned Development) Zoning District. ( Mitigated Negative Declaration) ( APN: 211-05-008) JMc (**Also to City Council on 02/15/05**)

- **General Plan Amendment** from Medium to Low-Medium Density Residential;
- **Rezone** from R-3/PD (Medium Density Residential/Planned Development to R-2/PD (Low-Medium Density Residential/Planned Development) Zoning District;
- **Special Development Permit** to allow the construction of eight single-family homes, and
- **Tentative Map** to subdivide one lot into eight individual lots and one common lot.

Jamie McLeod, Project Planner, presented the staff report. She noted issues relating to the General Plan Amendment, Rezone, Special Development Permit, and Tentative Map. Staff also noted that the application included a Mitigated Negative Declaration and outlined the mitigations. Staff submitted an addendum of Conditions of Approval and setbacks to the Commission which were reviewed and supported by the applicant. Staff supported all deviations from the code with the exception of the infringement on the vision triangle. Staff recommended the Commission adopt the Mitigated Negative Declaration, amend the General Plan, introduce an Ordinance to Rezone from R-3/PD to R-2/PD, approve alternative #2 of the proposed site plan, and approve the Tentative Map with attached conditions including amendments.

Chair Moylan referred to the setback handout submitted by staff and clarified with staff that the shaded portions of the table met the setbacks and the white portions violated the setbacks. Staff agreed and stated that the center column, lots 2 and 3, for minimum side yard setbacks, also met the requirements.

Comm. Babcock referred to page 9 of 14 of the staff report and asked staff for clarification regarding the street width. She also asked staff what the minimum requirement was for a private street when approving those types of developments. Ms. Trudi Ryan, Planning Officer, responded that typically the minimum is a 20 foot travel way so that emergency vehicles can get around. She noted that the new accessibility requirements also have to be met. Staff added that there is a recommended rolled curb which would allow emergency vehicles to go up on the curb.

Comm. Babcock confirmed with staff that the minimum for accessibility on a sidewalk is 5 feet and not 4 feet. Staff clarified that the ADA (Americans Disability Act) requirement is 4 feet and 5 feet is the standard for public sidewalks for the City.

Comm. Babcock commented that both site designs show a 29-foot private road. Staff stated that after the site designs were submitted the applicant requested an amendment to the designs and the revised numbers were included in the staff report.

Comm. Sulser asked staff if Rezoning of additional parcels was studied besides the one parcel. Staff responded that only the subject parcel was studied.

Comm. Sulser asked staff if there was a minimum in terms of how much of a transition you should have between different zoning types. Ms. Ryan responded that it really depends on what kind of transition and what kind of use. She added that in this case staff was not particularly concerned because of the transition and logical progression of the various densities.

Comm. Klein referred to Condition of Approval #9 in the addendum sheet and asked staff for clarification regarding the stop bar. Staff clarified that it was a painted bar along the street.

Further, Comm. Klein referred to Condition of Approval #11 in the addendum sheet and asked staff if a minimum requirement of trees was normally required. Staff responded that the Planning Commissioner's are welcome to amend the condition to state that the applicant shall provide a minimum number of street trees along Wolfe Road.

**Chair Moylan opened the public hearing.**

Larry Yamaoka, applicant, stated that he reviewed a copy of the staff report. He referred to the spur and asked the commission to consider a single road design. He added that the purpose was to try to create the best living environment for the residents. He commented on garbage trucks coming into the living area and creating safety issues for the neighborhood. He then stated that the Traffic and Solid Waste Departments did not have a problem with garbage pick up on the street. Mr. Yamaoka stated that he took that information into consideration when choosing what site plan to propose. Mr. Yamaoka then referred to the vision triangle issue and stated the he would like to work with staff to find a solution to gain the visual triangle that staff would like them to meet. He then spoke about parking and stated that two parking spaces could be added for a total of three parking spaces on site. Mr. Yamaoka stated that he would also like to work with staff on architecture and to create a better streetscape on the private street.

Comm. Sulser asked Mr. Yamaoka to comment on the six-foot wall that would be visible from Wolfe Road. Mr. Yamaoka responded that he has talked to staff to come up with different ideas and stated that the wall could also be stepped down along Wolfe Road so that it is not as imposing.

Vice Chair Hungerford asked Mr. Yamaoka if he was in agreement with the conditions provided for the vision triangle or was he hoping for something different. Mr. Yamaoka responded that currently as the project is designed it

does not meet the vision triangle requirement but he is willing to go back and work with staff to find a solution to minimize the vision triangle issue.

Chair Moylan asked Mr. Yamaoka about the T-shaped interior road design he presented at the Study Session. Mr. Yamaoka stated that at that time he felt it met the requirements he was hearing from staff. However, after the Study Session he spoke with the Traffic and Solid Waste Departments and discovered that the T shape design created other problems. He then stated that when he learned from the Solid Waste and Traffic Departments that they did not have a problem with garbage pick up on Wolfe Road he based his decision on which site plan would be best for the homeowners and the development.

**Chair Moylan closed the public Hearing.**

Chair Moylan made a recommendation to the Commission. He asked the commission if the design density in the neighborhood should be dropped and if so, was the current layout the best. He announced to the Commission that they were free to consider those two issues in separate motions or vote in one motion.

**Comm. Babcock made a motion on Item 2004-0955 to adopt the Mitigated Negative Declaration and amend the General Plan from Medium to Low-Medium Density Residential, and introduce an Ordinance to Rezone 775 South Wolfe Road from R-3/PD to R-2/PD, and approve the Special Development Permit and Tentative Map with modified conditions and approve alternative #2 of the proposed site plan and total street and sidewalk width can be reduced to 26 feet. Comm. Simons seconded.**

Comm. Babcock stated that the thought of having a large amount of garbage containers lined up on Wolfe Road one day of the week was not something that the neighborhood would like to look at. She stated that she felt that as long as the street is a private street they can make it narrower and therefore went with 26 feet.

Comm. Simons thanked the applicant for taking input from the Study Session. He felt that both suggested designs were fine. He was thankful for some turf blocks that have grass in it.

Ms. Ryan clarified with Comm. Babcock that her motion indicated 26 feet for the width of the street, a 5 foot sidewalk, 1 foot for the rolled up curb, and 20 feet for the travel way. Secondly she verified if the motion included the Findings for Rezoning that was suggested in the text of the staff report but excluded from the Ordinance. Comm. Babcock concurred.

**Comm. Klein offered a friendly amendment for Condition of Approval addendum #11 to state a minimum of 2 trees and up to 4 trees with the approval and recommendation of the City Arborist. Accepted by the maker.**

Comm. Sulser did not support the motion. He stated that he agreed with the Rezone and felt it was important to have transitions between Zoning Districts and stated that he did not like the design of the project and felt it could be redesigned to be something more compatible.

Vice Chair Hungerford supported the motion and stated that he agrees with the Rezoning and felt that with an apartment complex on one side and single family homes on the other side of the property, putting it into a low-medium density makes sense as a transition from one to the other.

Chair Moylan did not support the motion. He stated that he did agree with the General Plan Amendment and the Rezone but was against the Special Development Permit and Tentative Map. His primary reasons were violation of setbacks, construction in the vision triangle and shrinking the nice shape road. He felt the houses were too big for the site. He encouraged the Commission to take a second look at the handout with the setback requirements. He was supportive of the transitional Zoning.

**Final Motion:**

Comm. Babcock made a motion on Item 2004-0955 to adopt the Mitigated Negative Declaration and amend the General Plan from Medium to Low-Medium Density Residential, introduce an Ordinance to Rezone 775 South Wolfe Road from R-3/PD to R-2/PD, and approve the Special Development Permit and Tentative Map with modified conditions and approve alternative #2 of the proposed site plan and total street and sidewalk width can be reduced to 26 feet and Condition of Approval #11 on the addendum shall state a minimum of 2 trees and up to 4 trees with the approval and recommendation of the City Arborist. Comm. Simons seconded.

Motion carried 4-2 with Chair Moylan, Comm. Sulser dissenting and Comm. Fussell absent.

Ms. Ryan stated that the item would be forwarded to the City Council with the Planning Commission recommendation for their meeting of February 15.